

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LUIS ANTONIO ORTIZ OCHOA, et al., :
Plaintiffs, : ORDER
-v.- :
18 Civ. 9417 (ER) (GWG)
PRINCE DELI GROCERY CORP., et al., :
Defendants. :
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GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

By Order dated June 28, 2021, the Court required each party in this matter to participate in a settlement conference scheduled for July 20, 2021. (Docket # 68). In this Order, the parties were instructed that, “[i]f a party does not speak fluent English, the party must arrange for the participation of an experienced simultaneous interpreter.” *Id.* ¶ 6 (emphasis omitted). The Order also provided that “the attorney on the case may not serve as the interpreter.” *Id.* (emphasis added).

On July 20, 2021, at the start of the settlement conference, counsel for plaintiffs, Ms. Tiffany Troy, made clear that her client did not speak fluent English and that she did not arrange for the participation of an experienced simultaneous interpreter. Ms. Troy indicated her belief that the Order setting up the settlement conference did not contain any provision regarding an interpreter. The Court was required to alert her to the clear terms of the Court’s Order.

Accordingly, the conference had to be adjourned to July 30, 2021, at 2:30 p.m. The Court notes that it represents a great inconvenience to the Court to have been required to hold a block of time for a conference only to be forced to cancel it at the last moment. This block of time was not available for the scheduling of other important matters that required the attention of this Court.

It appearing to the Court that plaintiffs’ counsel have violated the Court’s Order of June 28, 2021, it is hereby ORDERED that plaintiffs’ counsel shall show cause why sanctions should not be imposed on them either based on Fed. R. Civ. P. 16(f), 28 U.S.C. § 1927, or the inherent powers of the Court. Such showing shall be made by affidavit and a memorandum of law compliant with Local Civil Rule 7.1(a)(2) filed on or before July 28, 2021. Opposing counsel may file a letter on or before the same date if counsel wishes to be heard on the matter.

If counsel for plaintiffs wishes that a hearing be held on this matter, they should so state and should set forth the reasons why the consideration of this matter based on written submissions would be insufficient.

The Court will issue a written order in the event a sanction is imposed.

Dated: July 20, 2021
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge